

WISHA REGIONAL DIRECTIVE

WISHA Services

Department of Labor and Industries

33.10 WATERLESS HANDWASHING DURING COLD WEATHER

Date: May 2, 2001

I. Background

WAC 296-307-09515 requires handwashing facilities to be provided for employees engaged in hand-labor operations in the field, without cost to the employee.

Handwashing facilities must have a tap and an adequate supply of water, soap, single-use hand towels, and either a basin or other suitable container for washing for each twenty employees or fraction of twenty. Due to specific practicality concerns and the likelihood that the hazard is considerably less significant, questions have been raised on the use of waterless cleaning systems instead of handwashing facilities during the cold winter months.

The purpose of any WISHA standard is to ensure health and safety of the working population. When it is difficult for an employer to adhere to certain stipulations of a standard because of the inherent nature of operations, and when the health or safety effect in a particular situation may be atypical, an evaluation of those effects is appropriate.

Agricultural workers are confronted by many safety and health hazards each day. The work is physically demanding. Exposure to various biological and chemical hazards is common in labor-intensive agriculture. Farmworker's hands can accumulate plant and produce juices, agricultural chemical residues, and pathogenic organisms, which often become embedded in layers of dirt on the skin. If these contaminants are not properly removed they can be inadvertently ingested or absorbed through the skin. However, the employees' exposure to such hazards may be significantly reduced during cold-weather activities such as pruning. To address those issues, this WISHA Regional Directive (WRD) has been developed.

II. Scope and application

This WISHA Regional Directive (WRD) provides guidance to WISHA enforcement and consultation staff whenever they must assess a situation where waterless systems are used in lieu of handwashing facilities as defined by the field sanitation standard and replaces any previous formal or informal guidance.

III. Interpretive Guidance

A. *Can employers generally substitute waterless cleaners or cleaning systems for the handwashing facilities required by WAC 296-307-09515?*

No. As a general matter, waterless cleaners or cleaning systems cannot be relied upon to remove the range of contaminants addressed by the standard. They can be used to supplement the required facilities, but they cannot replace the required handwashing facilities.

B. *When can an employer rely upon waterless cleaners or cleaning systems to comply with the requirements of WAC 296-307-09515?*

During the winter months, when there has been no recent chemical application, there is no known chemical residue, and employees wear gloves to perform pruning in fruit tree orchards, employers can rely upon waterless cleaners or cleaning systems in relation to such work provided that they have trained their employees in appropriate use of the waterless systems. In such situations, the technical violation of WAC 296-307-09515 will be considered *de minimis* and therefore not cited.

C. *Does this affect other requirements of the field sanitation standard?*

No. The employer must provide toilets and potable drinking water and otherwise comply with the standard.

Approved: _____

Michael Wood

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For further information about this or other WISHA Regional Directives, you may contact WISHA Policy & Technical Services at P.O. Box 44648, Olympia, WA 98504-4648 -- or by telephone at (360)902-5503. You also may review policy information on the WISHA Website (<http://www.wa.gov/lni/wisha>).